

National Energy  
Board



Office national  
de l'énergie

File OF-EI-Elec-N715-2016-01 01  
29 September 2016

Mr. Kirby O'Donnell  
Executive Director  
New Brunswick Energy Marketing Corporation  
PO Box 2010, 515 King Street  
Fredericton, NB E3B 5G4  
Facsimile 506-458-4000

Ms. Wanda Harrison  
Secretary and General Counsel  
New Brunswick Energy Marketing Corporation  
PO Box 2010, 515 King Street  
Fredericton, NB E3B 5G4  
Facsimile 506-458-4000

Dear Mr. O'Donnell and Ms. Harrison,

**New Brunswick Energy Marketing Corporation's application dated 22 June 2016 for authorization to export electricity pursuant to Section 119.03 of the *National Energy Board Act***

On 22 June 2016, New Brunswick Energy Marketing Corporation (NBEMC) applied to the National Energy Board for authorization to export up to a combined maximum of 9 846 000 MW.h of firm and interruptible energy annually for a period of ten years.

The Board has decided, pursuant to section 119.03 of the *National Energy Board Act*, to issue one electricity export permit to NBEMC for firm and interruptible energy exports, subject to the conditions included in the attached Permit. The terms of the attached permit EPE-418 will commence on 1 January 2017 and end on 31 December 2026.

The Board reminds NBEMC that, pursuant to Section 8 of the *National Energy Board Export and Import Reporting Regulations*, within 15 days after the end of each month during the term of the permit, NBEMC shall file with the Board a report in such form and detail as the Board may specify, setting forth for that month information pertaining to transactions under the permit.

Yours truly,

*Original signed by*

Sheri Young  
Secretary of the Board

Attachment

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**PERMIT EPE-418**

**IN THE MATTER OF** section 119.03 of the *National Energy Board Act* (Act) and the regulations made thereunder, and

**IN THE MATTER OF** an application by New Brunswick Energy Marketing Corporation for authorization to export electricity, filed with the National Energy Board (Board) under File OF-EI-Elec-N715-2016-01 01.

**BEFORE** the Board on 29 September 2016.

**WHEREAS** in an application dated 22 June 2016 New Brunswick Energy Marketing Corporation (NBEMC) requested authorization to export firm and interruptible energy from Canada to the United States of America;

**AND WHEREAS** NBEMC published a Notice of Application and Directions on Procedure (NOA/DOP) in both English and French in the *Canada Gazette*, Part I on 18 June 2016 and on 20 August 2016 in the national newspapers *La Presse* in French and in English in the *Financial Post*;

**AND WHEREAS** NBEMC also published an NOA/DOP on a range of dates in local newspapers *The (Fredericton) Daily Gleaner*, the *(Saint John) Telegraph Journal*, the *(Moncton) Times & Transcript*, the *(Charlottetown) Guardian E-edition*, the *(Halifax) Chronicle Herald* and the *Montreal Gazette* in English and in French in *La Voix Acadienne*, *L'Acadie Nouvelle (Numérique)* and *Le Courrier de la Nouvelle-Écosse*;

**AND WHEREAS** on or about 22 June 2016, NBEMC served a copy of the NOA/DOP together with a copy of its application on Emera Energy, Hydro-Québec, the Maritime Electric Company, Limited, Nova Scotia Power and the City of Summerside Electric Utility;

**AND WHEREAS** on 18 July 2016, Maritime Electric Company, Limited sent a letter to inform that they have no objections to the application;

**AND WHEREAS** the Board is satisfied that the parties interested in buying electricity for consumption in Canada will be given fair market access to any electricity proposed for export under this Permit, as conditioned;

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**AND WHEREAS** the Board is satisfied that the proposed exports will not cause any unacceptable effects on provinces other than those from which exports will occur;

**AND WHEREAS** the Board has determined, after considering the submission letter as well as the information provided by NBEMC, that further public review of the application is not warranted;

**IT IS ORDERED THAT** NBEMC be and is hereby authorized to export firm and interruptible energy between Canada and the United States of America, subject to the following terms and conditions:

1. The term of this Permit shall commence on 1 January 2017 and shall end on 31 December 2026.
2. The class authorized hereunder shall be for sales, equichange, carrier, storage and adjustment transfers.
3. The energy to be exported hereunder may be transmitted over any of the international power lines located in Canada for which the Board has issued, or will issue, a Certificate of Public Convenience and Necessity, or a Permit.
4. The maximum quantity of energy that may be exported hereunder, in any consecutive 12-month period, shall not exceed 9 846 000 MW.h of combined firm energy and interruptible energy;
5. NBEMC shall not export energy hereunder, without first:
  - i. informing those who have declared an interest in buying electricity for consumption in Canada of the quantities and classes available for sale; and
  - ii. giving an opportunity to purchase electricity on terms and conditions as favourable as the terms and conditions which apply to the proposed exports, to those who, within a reasonable time after being so informed, demonstrate an intention to buy electricity for consumption in Canada.
6. NBEMC shall:
  - i. for exports of less than one month duration, subsequent to the commencement of an export, inform all accessible Canadian purchasers, upon request, of the terms and conditions under which a particular export was made, and, upon request, file the terms and conditions with the Board; and
  - ii. for exports of one month or more in duration, or a series of similar consecutive exports of less than one month in duration to the same customer that together exceed one month or more in duration, file with the Board, within 15 consecutive days of

execution, a copy of any specific contractual arrangements associated with an export and, upon request, serve a copy thereof on requesting accessible Canadian purchasers.

7. NBEMC is directed to maintain a file until 31 December 2027, for Board inspection, of all contracts entered into under this permit, for the period commencing 1 January 2017 and ending on 31 December 2026.

#### NATIONAL ENERGY BOARD

*Original signed by*

Sheri Young  
Secretary of the Board